
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

RICHARD DIXON,
Plaintiff

v.

WRIGHT MEDICAL TECHNOLOGY, INC.,
and WRIGHT MEDICAL GROUP, INC.,

Defendants.

**MEMORANDUM DECISION AND
ORDER GRANTING MOTION FOR
PRO HAC VICE ADMISSION OF SEAN
K. BURKE (DOC. NO. 30)**

Case No. 2:21-cv-00079

Judge Howard C. Nielson, Jr.

Magistrate Judge Daphne A. Oberg

Before the court is Local Counsel’s Motion for Pro Hac Vice Admission of Sean K. Burke, (“Mot.,” Doc. No. 30), seeking admission of Sean K. Burke as counsel for Defendants Wright Medical Technology, Inc. and Wright Medical Group, Inc. For the reasons explained below, the motions is GRANTED.

The District of Utah’s local rule governing attorney admissions provides “[p]ro hac vice admission is not available to any attorney who . . . has already been admitted pro hac vice in 3 unrelated cases in the previous 5 years in this district, unless the court finds good cause for the attorney not seeking admission to the Utah State Bar.” DUCivR 83-1.1(c)(1)(A)(iii).

As set forth in the motion, Mr. Burke has been admitted pro hac vice in eight other cases in this district in the past five years. (Mot. 1–2, Doc. No. 30.) Mr. Burke argues these are related cases because “they all involve the same defendants and similar claims involving similar or exactly the same products.” (*Id.* at 2.) Alternatively, he argues good cause exists to admit him in this case “because doing so will be in the best interest of Wright Medical Technology and beneficial to the Court because of his role as national counsel for Wright Medical in cases

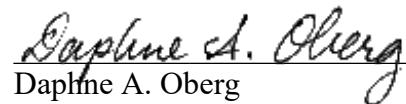
pending throughout the country and his extensive knowledge of the products and legal issues in this case.” (*Id.*)

Because the eight cases in which Mr. Burke has previously been admitted involve similar product liability claims against the same defendants, they are not “unrelated cases” for purposes of Local Rule 83-1.1(c)(1)(A)(iii). Accordingly, Mr. Burke’s prior admissions do not prevent his admission in this case. Based on the motion and attached application, Mr. Burke meets all other requirements for pro hac vice admission.

For these reasons, the motion is GRANTED.

DATED this 22nd day of December, 2021.

BY THE COURT:



Daphne A. Oberg
United States Magistrate Judge